

Redacted

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**From:** Kirby, Richard A [mailto:Richard.Kirby@bakermckenzie.com]  
**Sent:** Tuesday, October 04, 2016 10:45 AM  
**To:** Brown, Seanna R.; Clinton, Laura K  
**Cc:** Hoang, Lan; Vanderwal, Amy E.; Woltering, Catherine E.  
**Subject:** RE: PW - Blum Disclosures

Seanna:

In as answer to your questions below:

1. Respass would testify in accordance with his declaration. He has calculated the Blum's claims without regard to the PW transactions. We should be able to stipulate to this conclusion, since Greenblatt reached the same conclusions. If we cannot reach a stipulation on this point, we will have a very long trial!!
2. Blums testimony. We should plan on designating their depositions for use at trial, but we reserve the right to call them instead. That will depend on large part on when trial is – and their current ability to travel. Those dates seem to be now in a state of flux.

Any other issues we should take up on our 11 am call

Rick

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**From:** Brown, Seanna R. [mailto:[sbrown@bakerlaw.com](mailto:sbrown@bakerlaw.com)]  
**Sent:** Monday, October 03, 2016 7:10 PM  
**To:** Clinton, Laura K; Kirby, Richard A  
**Cc:** Hoang, Lan; Vanderwal, Amy E.; Woltering, Catherine E.  
**Subject:** PW - Blum Disclosures

Rick and Laura,

We have some questions on the witness list included as part of Friday's pretrial disclosures made on behalf of the Blums.

First, you did not identify the nature of Mr. Respass's testimony. As motions in limine, including motions to strike experts, are due Friday, please let us know as soon as possible whether you are calling Mr. Respass as an expert.

Second, the pretrial disclosures did not identify whether you intend to call the Blums as live witnesses at trial or whether you intend to rely on the deposition designations you submitted. If your preference is to submit the Blums' testimony by designation, the Trustee is open to a stipulation that their testimony be presented by deposition, subject to our rights to object to the admissibility of the designations as part of the pretrial order process. If you intend to submit their testimony live, please disclose that fact so that the Trustee can prepare his pretrial motions accordingly.

Regards,  
Seanna

**Seanna Brown**  
Partner

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EXPERIENCE FOR TOMORROW

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